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Causes of conflict and the promotion of durable peace and sustainable development

Implementation of the recommendations contained in the report of the Secretary-General on the causes of conflict and promotion of durable peace and sustainable development in Africa**

Progress report of the Secretary-General

Summary

The present report has been prepared pursuant to General Assembly resolution 58/235 of 23 December 2003, in which the Assembly requested the Secretary-General to submit to it at its fifty-ninth session a report on the implementation of that resolution, taking into account recent developments related to cooperation between Africa and the international community.

The report addresses the progress made and initiatives taken in the implementation of the recommendations contained in the Secretary-General's report on the causes of conflict and promotion of durable peace and sustainable development in Africa (A/52/871-S/1998/318), identifies the challenges and constraints in that regard and makes specific proposals on the measures that need to be taken to accelerate the implementation of the recommendations.

The report notes that, while substantive progress is being made in tackling the scourge of conflicts in Africa and in laying the foundations and creating the infrastructure to deal effectively with the conflicts on the continent, some new trends and sources of conflict have emerged, compounding existing challenges. To consolidate peace throughout the continent, African countries and members of the international community need to make a concerted effort to speed up the implementation of these recommendations and to deal with new trends and sources of violent conflict.

* A/59/150.

** The delay in the submission of the present report is due to the late submission by some United Nations organizations of their input. The African Union Summit, which took important decisions in areas of peace and security relevant to the report, was held on 7 and 8 of July 2004.

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I. Introduction

1. The progress made in the implementation of the recommendations contained in the 1998 report of the Secretary-General on the causes of conflict and promotion of durable peace and sustainable development in Africa (A/52/871-S/1998/318) has been monitored and reported to the General Assembly since 2000. Following its consideration of the progress report of the Secretary-General at its fifty-seventh session (A/57/172), the Assembly, by resolution 57/296 of 20 December 2002, decided to include a sub-item entitled "Causes of conflict and the promotion of durable peace and sustainable development in Africa" under a single agenda item on the development of Africa, entitled "New Partnership for Africa's Development: progress in implementation and international support", beginning at its fifty-eighth session. Further, the Assembly requested the Secretary-General to submit to it at that session a comprehensive report on the sub-item. At its fifty-eighth session, having considered the requested report (A/58/352), the Assembly, by resolution 58/235 of 23 December 2003, decided to continue to monitor the implementation of the recommendations contained in the report of the Secretary-General and requested the Secretary-General to submit to it at its fifty-ninth session a further report, taking into account recent developments related to the cooperation of Africa with the international community on the matters to which attention was drawn in that resolution. The progress made in the implementation of some of the recommendations of 1998, especially those relating to economic and social development, is dealt with in the report of the Secretary-General, entitled "New Partnership for Africa's Development: second consolidated report on progress in implementation and international support" (A/59/206). The present report should therefore be viewed as a complement to and should be read together with that report.

2. The present report updates the information contained in A/58/352, highlights areas of progress and identifies challenges and constraints in implementation. It has been compiled from information received from Member States, the African Union and organizations of the United Nations family. The report also drew on the work of the Ad Hoc Advisory Group on African Countries Emerging from conflict of the Economic and Social Council and the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa of the Security Council, as well as the secretariats of the African Union and the New Partnership for Africa's Development (NEPAD) and civil society organizations working on the prevention of armed conflicts.

II. Overview of trends and sources of conflict in Africa

3. When the report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa was first issued in 1998, 14 countries in the region had experienced armed conflict or civil strife, 11 were under severe political crisis and turbulence and only the remaining 15 enjoyed more or less stable political conditions. This gloomy picture has changed dramatically and positively over the past six years. At present, only 6 African countries can be considered to be in a situation of armed conflict and very few others are facing deep political crises. Most African countries enjoy relatively stable political conditions and are governed by democratically elected regimes. Their

efforts are directed at economic reconstruction and at combating poverty and underdevelopment, including through NEPAD. All of them are signatories to the Algiers Declaration adopted by the Assembly of Heads of State and Government of the Organization of African Unity in 1999,[1] which emphasizes, inter alia, the need to change government only through constitutional means. They continue to make efforts to consolidate democracy in their respective countries by holding regular multiparty elections and establishing constitutional order, together with the necessary checks and balances.

4. African countries and regional organizations on the continent have made serious efforts to deal with the scourge of conflict by promoting peace negotiations and brokering peace agreements in Burundi, Côte d'Ivoire, the Democratic Republic of the Congo, Eritrea, Ethiopia, Liberia and the Sudan. They have also established, under the auspices of the African Union, a legal framework and structures which will enable them to deal effectively with conflicts, such as the Peace and Security Council and the Protocol relating to its establishment, and the Committee of the Wise which supports the work of the Council. They have also deployed peacekeeping forces and military observers in a number of African countries and are currently establishing an African standby force to enable them to undertake and participate more effectively in peace operations.

5. The number of military coups on the continent has diminished and countries that have experienced a coup d'état or an attempted coup d'état (Central African Republic, Comoros, Guinea-Bissau, Sao Tome and Sierra Leone) have quickly restored or are working towards the restoration of constitutional order. There have also been efforts made in Africa to improve governance and human rights records. For example, 23 countries have now acceded to the African Peer Review Mechanism of NEPAD, which was established to assess, monitor and promote good political, economic and corporate governance and human rights observance. The review process was launched in Ghana in May 2004, and support missions sent to Mauritius and Rwanda in June 2004 and to Kenya in July 2004 are to be followed by one to Mozambique.

6. One of Africa's long-standing conflicts, in Angola, has been resolved and the Security Council has approved new peacekeeping missions in Burundi, Côte d'Ivoire, the Democratic Republic of the Congo and Liberia, and an advance team for the Sudan. Furthermore, the United Nations is working in closer collaboration with the African Union and the Government of the Sudan to find a solution to the conflict in Darfur, where human rights and the humanitarian situation remain a source of great concern. In general, there are increased prospects for peace restoration in all countries experiencing armed conflict, although instability continues in the Great Lakes region, the countries members of the Mano River Union and in parts of Central Africa.

III. Progress made in the implementation of the recommendations contained in the report of the Secretary-General

7. Since the submission of the previous report (A/58/352), further progress has been made in the implementation of the recommendations of 1998. Details of the

action taken, the progress made and the constraints encountered are described below.

Responding to situations of conflict

1. Peacemaking

8. The appointment of special mediators remains the primary means by which the United Nations can assist Member States in resolving conflicts. My special mediators, with the support of the Department of Political Affairs, have been active in supporting regional peacemaking efforts, through cooperation with, on Burundi, the Regional Peace Initiative; on Somalia and the Sudan, the Intergovernmental Authority on Development (IGAD); and on the inter-Congolese dialogue and the convening of a conference on peace and development in the Great Lakes region, the African Union.

9. There has been significant progress achieved so far by Cameroon and Nigeria, with the assistance of the United Nations, in the implementation of the ruling of the International Court of Justice of 10 October 2002, on the land and maritime boundary between the two countries. Their efforts to that end are being pursued within the framework of the Cameroon-Nigeria Mixed Commission, which I established at the request of the heads of State of the two countries and which is chaired by my Special Representative for West Africa. The process initiated by the Commission for the withdrawal of the civilian administration, military and police forces and the transfer of authority by both countries, as called for by the International Court of Justice, represents an important success story for Africa, which, when completed, will not only enhance cooperation between Cameroon and Nigeria but also enhance peace in the region. In September 2003, I appointed a Special Envoy to help resolve the long-standing territorial and maritime border dispute between Gabon and Equatorial Guinea, and there has been progress in the mediation of this dispute. In the margins of the African Union Summit that was held in Addis Ababa in July 2004, I chaired a meeting for the signing of an agreement for the joint exploration and development of the petroleum and other resources in certain areas of the economic exclusive zone under dispute.

10. The Governments of Eritrea and Ethiopia accepted to resolve their boundary dispute through an arbitration mechanism. The Eritrea-Ethiopia Boundary Commission was established in accordance with the Algiers peace agreement of December 2000. The Commission drew an internationally recognized and legally binding border between the two countries on 13 April 2002. Physical demarcation of the border was due to start in July 2003 but has unfortunately been delayed. In order to promote a peaceful settlement of the boundary dispute, I appointed a Special Envoy, but his efforts have not yielded significant results. The Peace and Security Council has decided to make the Ethiopia-Eritrea conflict one of its top four priorities.

11. By resolution 1523 (2004) of 30 January 2004, the Security Council extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 April 2004 to allow my Personal Envoy for Western Saharan issues to consult further with the Government of Morocco on its final response to the Peace Plan for the Self-Determination of the People of Western Sahara, which he had submitted to the parties in January 2003. On 1 June 2004, however, my Personal

Envoy tendered his resignation, stating that he had now done all that he could to assist the parties in finding a solution to the conflict. He also stated that, while progress had been made in a number of ways during his seven years of involvement, the international community had not been able to resolve the underlying dispute. The mandate of MINURSO has since been extended until 30 October 2004, and the Mission has continued to promote peace through confidence-building measures such as facilitating the exchange of family visits between Western Sahara and the refugee camps in Algeria.

12. Efforts at promoting and reconciling the parties in conflict continued in West Africa, where the United Nations Office in West Africa is closely working with my special representatives in Côte d'Ivoire, Guinea-Bissau, Liberia and Sierra Leone. Addressing regional instability and preventing the escalation of conflict through peace-building has been the main focus of my special representatives in West Africa who, apart from mobilizing donor support to revive the Mano River Union, have been working with the Economic Community of West African States (ECOWAS) to address cross-border issues affecting the region, such as the strengthening of the moratorium on small arms and light weapons, reform of the security sector, adoption of a regional approach to youth unemployment, protection of children and women against sexual exploitation and combating the use of mercenaries. An encouraging development in West Africa is the increasing engagement of the Security Council and the Economic and Social Council, which have undertaken joint missions and made specific recommendations to address the issues affecting the region.

13. **However, it should be noted that, while special mediators and special commissions continue to offer a medium for the peaceful resolution of conflicts, the primary responsibility rests in the hands of Member States, including by the implementation of the recommendations of these independent actors.**

2. Mobilizing international support for peace efforts

14. The international community has been responding more readily to situations of conflict in Africa. The positive developments in the peace process in Burundi, Liberia, Sierra Leone, and the Sudan could not have taken place without the international community's support. This support has helped to strengthen closer collaboration among the United Nations, the African Union and the African regional organizations in peacemaking in conflict situations, such as in Burundi, the Democratic Republic of the Congo and in Ethiopia and Eritrea.

15. In 2002, the Group of Eight committed itself in Kananaskis, Canada, to support efforts to enhance the African capacity to engage more effectively in conflict management and resolution. This commitment was later reiterated at the Summit of the Group, held in Evian, France, in 2003. The support of the Group of Eight is also aimed at promoting African capacities to prevent or manage violent conflicts, in particular at the level of African regional organization, and to help strengthen African institutions. The international community, in particular the European Union and the Group of Eight, has provided support to the African Union on the Burundi peace process, to IGAD on the Sudan peace process, and to ECOWAS to bring peace to Liberia. Recently, the European Union has provided the African Union Peace Facility Fund with a grant of €250 million.

Challenges and constraints

16. The commitment of the Group of Eight to enhancing the capacity of African regional organizations will certainly help Africa to engage effectively in conflict management and resolution. However, the international community needs to be sensitive and responsive to the African quest for enhanced coordination and coherence, including the ambit in which the support is required.

17. The political and material support from the international community and the collaboration between the United Nations and the Bretton Woods institutions in post-conflict situations have been instrumental in peace consolidation. In the post-conflict recovery phase, there is a need for immediate peace dividends, which may help the parties to convince their followers and the general populace of the benefits of peace. In this regard, it is important that international support is also directed at the quick-impact projects that serve as incentives to peace.

3. Improving the effectiveness of sanctions

18. Since 1997, the Security Council has continued to focus sanctions by targeting the decision makers and, in some instances, their families. The travel and diplomatic sanctions applied for the first time to senior officials of the União Nacional para a Independência Total de Angola (UNITA) and their immediate families were subsequently applied to leading members of the former military junta and the Revolutionary United Front. These selective sanctions were also applied to senior members of the Government of Liberia and its armed forces and to their spouses and other individuals providing financial and military support to armed rebel groups in nearby countries. The Security Council also learned that freezing the assets of senior officials in rebel groups violating peace agreements could play a catalytic role in the resolution of conflicts. The sanctions applied to the Liberian leadership included funds and other financial and economic resources owned or controlled directly or indirectly by the then President and his children.

19. Targeted sanctions seek to minimize the adverse effects on local populations dependent upon trade with the sanctioned parties. In resolution 1295 (2000), the Security Council decided that the Angola sanctions committee should, in consultation with the Government of Angola, update the list of UNITA officials and adult members of their immediate families who are subject to travel restrictions. The Liberia sanctions committee reviews its travel ban list through a quarterly process. Requests to be removed from the lists are also considered during these processes, which allows those who consider that they have been wrongly listed recourse to the Committee.

20. Over the past several years, the Security Council has established a number of expert groups to monitor the implementation of sanctions applied by it and to investigate and report on alleged violations. These groups have included the Panel of Experts and the Monitoring Mechanism on sanctions against UNITA, the panels of experts appointed in relation to Sierra Leone and Liberia, the Panel of Experts and the Monitoring Group on Somalia, and the Group of Experts on the Democratic Republic of the Congo. The reports of these independent groups have helped to identify and expose through public scrutiny the activities of international arms merchants and their delivery networks. Through these measures, the Security Council is ensuring that sanctions regimes are being used more effectively.

4. Stopping the proliferation of arms

21. The 2003 edition of the *Small Arms Survey*,[2] a project of the Geneva-based Graduate Institute of International Studies, shows that in 44 sub-Saharan African States there are approximately 30 million small arms in circulation, including those in the hands of both insurgents and Government forces, contrary to what was believed some years ago when it was considered that there might be 100 million firearms in the hands of non-State forces in Africa. The tightening of Security Council sanctions and a series of peace agreements signed in 2002 to end conflicts in Angola and Sierra Leone, and the Luanda agreement to end hostilities between foreign forces in the Democratic Republic of the Congo, contributed to lowering the demand for small arms in Africa. In these wars, disarming the rebel forces and ensuring their integration into the national army have enabled Governments to have greater control over small arms and light weapons. There have also been greater efforts made by African and non-African States to implement the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, adopted in 2001.[3] Available data now show that 30 countries have appointed national focal points, 14 have appointed national coordination agencies, 23 have enacted laws on the production, export and transit of small arms and light weapons, 15 have declared their stockpiles and 17 have adopted weapon collection programmes. The need to encourage the implementation of the African Union's Bamako Declaration on an African Common Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons,[4] the 2001 Programme of Action and the various subregional agreements has been recognized by NEPAD which has identified small arms proliferation as an area for priority action. At the African Union and NEPAD consultations on peace and security, held in February 2003, a plan of action was developed to further strengthen the prevention, combat and eradication of small arms and light weapons in Africa.

22. With support from the United Nations Development Programme (UNDP), ECOWAS continued to implement its moratorium on small arms and light weapons. The UNDP Programme for Coordination and Assistance for Security and Development in Africa is expected to promote the objectives of the moratorium, facilitate cooperation among ECOWAS States in implementing the moratorium and stem the spread of light weapons in the region. The Department for Disarmament Affairs undertook a series of regional consultations and workshops with the African Union, ECOWAS, the Economic Community of Central African States, the countries of East Africa, the Great Lakes region and the Horn of Africa (the Nairobi Declaration States),[5] and the Southern African Development Community (SADC) on various aspects of the implementation of the 2001 Programme of Action. As a result of these efforts, many States have provided information on the legislation that they have enacted to make the violation of the arms embargo a criminal offence under national law.

23. In resolution 1478 (2003), the Security Council called upon West African States to strengthen the measures that they had taken to combat the spread of small arms and light weapons and mercenary activities and to improve the effectiveness of the ECOWAS Moratorium. The Panel of Experts on Somalia has identified concrete cases of violations of the arms embargo and made public some of the names of those who participated in the illicit arms trade (see S/2003/223 and S/2003/1035). By the end of its mandate, the panel was able to report that dozens of States had enacted legislation, with penalties ranging from $10,000 fines to imprisonment terms of up

to seven years. As regards the Democratic Republic of the Congo, the Security Council, in resolution 1533 (2004), requested all States to report to the related Council Committee on the actions that they had taken to implement the arms embargo and to provide it with information on those found to have violated the arms embargo or to have supported them in undertaking such activities.

24. The Security Council is also engaged in efforts to identify the air and maritime companies whose aircraft and vessels have been used in violation of the arms embargo. Since the entry into force in 1999 of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction (more commonly known as the Mine Ban, or Ottawa Treaty), 143 countries have ratified the Treaty, 40 countries have halted the production of anti-personnel landmines and 45 States in sub-Saharan Africa are party to the Treaty. Moreover, many countries, including those that are not yet signatories to the Treaty, have agreed to stop their export of landmines. Consequently, there is less evidence of their use in Africa since 2002. In this regard, available evidence indicates that only the parties in conflict in Burundi, the Democratic Republic of the Congo, Somalia and parts of the Sudan continue to use anti-personnel mines.[6]

Challenges and constraints

25. In spite of worldwide efforts to curb the illicit trade in small arms, illegal traffic has continued with the involvement of State and non-State actors, individual brokers and firms. Small arms and light weapons have gone from one African country to another and have come from dealers in the North to African countries. Arms flows from within and outside the region have continued to arm insurgents and militias in a number of African countries. This situation is facilitated by individuals, State officials who continue to issue fraudulent end-user certificates, porous borders and the inability of African States to protect their airspace. **Members of the international community will need to work together to eliminate the loopholes, tighten control and implement the 2001 Programme of Action, especially with regard to enhancing the capacity of national focal points to undertake effectively actions to prevent, combat and eradicate the illicit trade in small arms and light weapons.**

26. Not all States parties to the Ottawa Treaty have declared their commitment to destroy their anti-personnel landmine stockpiles within a given time frame. The available data still point to the existence of 230 million such mines in 94 countries. Landmines tend to prolong the conflict and their impact is felt long after the conflict has ended. **Therefore, I urge those countries that are not yet party to the Ottawa Treaty to join, those that have not yet destroyed their stockpiles of anti-personnel mines to do so and those that have not yet declared their stockpiles to do so. I also urge the international community to tighten control so as to prevent traders and firms from circumventing the agreed international norms and thus make our global neighbourhood safe.**

5. Peacekeeping

27. The experience in Sierra Leone marked a watershed for the Organization and the international community in many regards. Having experienced enormous disappointments in bringing peace to Angola, the Central African Republic, Liberia, Rwanda and Somalia in the 1990s, the will of the Security Council and the

international community in general converged at a critical time to make the mission in Sierra Leone a success. This success has given confidence to the United Nations to again support complex peace operations in Africa and, today, the region receives the highest deployment of United Nations peacekeeping efforts in the world.

28. Sierra Leone was the first attempt to bridge the gap between peace and development by means of an integrated mission. The experience of appointing the Resident Coordinator as the Deputy Special Representative of the Secretary-General, supported by an integrated task force at United Nations Headquarters, allowed the development community to work closely with peacekeepers in a mutually supportive fashion; this helped to strengthen coherence and coordination in dealing with transition issues and those relating to the reconstruction of the country. Sierra Leone also offers some lessons with regard to the cooperation between the United Nations and a regional organization. While a peacekeeping force of 17,500 provided stability in the country, the Special Representative of the Secretary-General, together with the Government of Sierra Leone and ECOWAS, helped to promote political reconciliation, including by supporting the transformation of the Revolutionary United Front into a political party. This integrated approach has now been replicated in Angola, Burundi, Côte d'Ivoire and Liberia.

6. United Nations peacekeeping in Africa

29. In responding to complex conflict situations in Africa, the Security Council has supported more consistently mandates that are multidisciplinary and that thereby lay a firm ground for peace consolidation.

30. Today, multidisciplinary peacekeeping missions comprise, where necessary, building the capacity of local administrative authorities, strengthening democratic governance, comprehensive disarmament, demobilization, and reintegration programmes, security sector reform and restoration of the rule of law. These activities have been undertaken in an increasingly coordinated manner between the Department of Peacekeeping Operations and development agencies through the integrated mission task forces at Headquarters and through the appointment of deputy special representatives from UNDP to coordinate humanitarian activities and other post-conflict activities. The Organization has learned that building durable peace in post-conflict contexts, particularly after a civil war, requires addressing the root causes of conflict and promoting sustainable development, including by fostering democratic pluralism, transparent and accountable governance, the rule of law and economic recovery.

31. In many post-conflict situations in Africa, the capacity of the State to govern remains very fragile. This is due not only to the lack of resources and the flight of senior civil servants during the conflict, but also to the fragility of the Government's legitimacy and the level of confidence it enjoys from the population. Political, technical and financial resources are therefore required to assist the Government's efforts to consolidate peace.

32. By authorizing multidisciplinary missions in Burundi, Côte d'Ivoire, Liberia, Sierra Leone and the Sudan, the Security Council seeks to help build local capacity in promoting human rights and strengthening local administrative authorities in regard to responsibilities of governance. The objective of the mandates is to create the necessary conditions for the prevention of a relapse into conflict, thereby covering not only peacemaking and peacekeeping activities, but also laying a firm

ground for post-conflict and peace-building activities. In this regard, the international community has begun to develop a more coherent strategy for addressing short-term stability while undertaking efforts to ensure durable peace and stability.

33. The United Nations Mission in Côte d'Ivoire is assisting the parties to implement the Linas-Marcoussis agreement which seeks to address issues such as citizenship, identity status of foreign nationals, the electoral law, land tenure and economic recovery, while in Burundi and in Liberia, United Nations missions have been making strides in assisting these countries to reconcile their deeply divided societies, and to face up to the humanitarian and economic challenges. In the Sudan, I have appointed a Special Representative in anticipation of the signing of the comprehensive peace agreement between the Government of the Sudan and the Sudan People's Liberation Movement/Army to help to overcome the political, economic and humanitarian crisis in Darfur and to plan for a United Nations mission to assist the parties to implement the comprehensive peace agreement.

7. Efforts made by African organizations in peacekeeping

34. The African Union and other African regional organizations have continued to make efforts to restore peace on the continent. The establishment of the Peace and Security Council within the African Union has been a major boost for the organization, playing an effective role in the management and resolution of conflicts in Africa. Since its establishment, the Council has monitored developments and considered the situation in Burundi, the Central African Republic, Comoros, Côte d'Ivoire, the Democratic Republic of the Congo, Eritrea and Ethiopia, Equatorial Guinea, Guinea-Bissau, Liberia, Sao Tome and Principe, Somalia and the Sudan. Recently, the Council met twice at the level of heads of State and Government and has decided to pay particular attention to some of the conflicts that have shown little progress in their resolution, namely, the conflicts in western Sudan (Darfur), Côte d'Ivoire, the Democratic Republic of the Congo and between Ethiopia and Eritrea, thus raising the prospects for a speedy restoration of peace in these countries.

35. Important progress has also been made in Burundi following the deployment of the African Mission in Burundi (AMIB) by the African Union in 2002. AMIB, with its force levels standing at 2,698, helped to stabilize the country and improve significantly its security. A United Nations peacekeeping force has taken over from AMIB and will continue to work with the African Union and Governments in the region in order to convince all parties to take part in the transitional institutions.

36. The African Union and IGAD are also making serious efforts to reconcile the Somalis, while ECOWAS and the African Union are closely working with the United Nations to consolidate peace in Côte d'Ivoire and Liberia. The African Union and African regional organizations have also made significant progress with regard to the establishment of an African standby force, following the continued commitment of the Group of Eight to support efforts to enhance African capacity to undertake peace support operations. In June 2004, the ECOWAS Defence and Security Commission approved the establishment of a standby unit of 6,500 highly trained and well-equipped soldiers, which could be deployed immediately in response to any crisis or threat to peace in West Africa. The unit will have a rapid reaction component of 1,500 soldiers, to be known as the ECOWAS Task Force. The

Task Force will be boosted to operate at the brigade level, while the remaining 1,500 would constitute a reserve force.

Challenges

37. At the summit meeting of the Group of Eight held in June 2004, some member countries made specific proposals with regard to the training and equipping of the African standby force. The African Union and the Group of Eight countries will need to reach an agreement with regard to the modalities and eligibility criteria for this support and how the support will be channelled.

38. The African Union and African Governments will also need to address the issue of the relationship between the Union and regional organizations. While on the economic front African leaders have already decided that the regional economic communities are the implementing pillars of NEPAD and that all have a role to play, the situation on the security front is not the same. The proliferation of regional organizations and their overlapping memberships make it difficult to decide which organization would play a role in security issues, especially in East Africa.

8. Supporting regional and subregional initiatives

39. There has been a positive trend on the continent regarding conflict prevention and management. The African regional organizations are increasingly taking the lead in conflict prevention and management. The African Union and African subregional organizations, in particular ECOWAS, have been playing an important role in the management of conflicts in Africa, in some cases taking the lead in actual peacekeeping operations. SADC and the African Union have taken the lead in resolving the conflict in Burundi and the Democratic Republic of the Congo. SADC is also helping to find a solution for the issue of land in Zimbabwe. In 2003, SADC launched a mutual defence pact to promote regional cooperation in regard to politics, defence and security. The pact, which is also intended to help pave the way for the creation of an SADC brigade as part of the proposed African standby force, allows for enforcement measures as a last resort, with the authorization of the Security Council. IGAD has been instrumental in facilitating the talks in Somalia and in the Sudan. In West Africa, ECOWAS has played an important role in facilitating the end of the conflict in the Mano River Union countries. I welcome the supportive efforts of Canada, Nigeria, Norway, South Africa, the United Kingdom of Great Britain and Northern Ireland, the United States of America and the European Union in this regard. The United Nations system has been working closely with these countries and organizations, lending its political, technical and financial support.

40. The Department of Peacekeeping Operations has had preliminary contact with some subregional organizations, including ECOWAS, ECCAS and IGAD, to identify the support needed to enhance their peacekeeping capacity. The Department has also been engaged in various peacekeeping training programmes, including training of African trainers at the various centres of excellence in Africa. It has carried out a series of pre-deployment training in peacekeeping for African troop-contributing countries. The United Nations is also cooperating with bilateral donors and other organizations involved in strengthening African peacekeeping capacity so as to ensure that all efforts in this area are closely coordinated and meet the broader United Nations peacekeeping standards.

41. The Department of Political Affairs and the Department of Peacekeeping Operations have assisted in the formulation of the concept of the establishment of the African standby force and the Military Staff Committee in the framework of implementation of the Protocol Relating to the Establishment of the Peace and Security Council of the African Union, which was endorsed by the African heads of State in Syrte, Libyan Arab Jamahiriya, on 28 February 2004. Currently, the Department of Peacekeeping Operations is considering areas in which the United Nations could provide further assistance to the African Union, including the development of realistic plans of action to establish the African standby force and the reinforcement of the capacity at African Union headquarters to plan, launch and manage peacekeeping operations.

42. The United Nations system, through the Department of Political Affairs, has also worked closely with the African Union and subregional organizations and with countries which have taken the leadership role in peace initiatives, for example, the Regional Peace Initiative on Burundi, the IGAD-led peace processes in Somalia and the Sudan, the mediation efforts between the Government of the Sudan and the rebel movements in the Darfur region, and the African Union with regard to the inter-Congolese dialogue, which includes the convening of a conference on peace and development in the Great Lakes region. The main constraint for the Department of Political Affairs is the sensitivity with which African countries view interventions on behalf of good governance and peace and security. The issue of mandates, access and capacity remains a serious impediment to any advisory and preventive role that could be provided by the Department.

43. The Office for the Coordination of Humanitarian Affairs has been increasingly active in building up a working relationship with subregional organizations. The Office signed a memorandum of understanding with ECOWAS in February 2004, aimed at enhancing the latter's capacity in humanitarian action and conflict management. The Office has deployed staff in 2004 to support the newly formed ECOWAS Department of Humanitarian Affairs and is working with SADC to establish partnerships in the consolidation of existing databases for vulnerability analysis and mapping.

44. Since 1998, UNDP has led efforts to enhance the capacity of the Conflict Management Division of the African Union to enable it to play an effective role in conflict prevention. In follow-up to this effort, UNDP is providing support to the African Union Peace and Security Directorate for the implementation of the Peace and Security Agenda by enhancing the capacity of the organization to undertake conflict prevention, helping to ensure the effective operation of the Peace and Security Council, and assisting in the strengthening of institutions and programmes for preventive diplomacy and the mobilization of resources for peace and security. UNDP is also assisting some Governments in Africa in developing the capacity to undertake conflict prevention and assisting the countries of the Great Lakes region in addressing the proliferation of small arms in the region.

45. There has also been re-engagement on the part of the international community, in particular the Security Council, in supporting peace operations in Africa. Côte d'Ivoire, the Democratic Republic of the Congo, Liberia and Sierra Leone have all seen active engagement. The Council has demonstrated a willingness to support operations when the parties to the conflict have themselves shown their commitment

to finding a negotiated solution and when the regional organizations have played an active role in facilitating the finding of that solution.

9. Protecting civilians in situations of conflict

46. The promotion and protection of human rights has been increasingly mainstreamed in the work of the Organization. Most United Nations activities and programmes today are guided by a rights-based approach. Recent peace operations in Africa have included a human rights component as an integral part of the mission, financed through assessed contributions. However, where peacekeeping operations have not been established, independent human rights monitoring is the only means for the United Nations to monitor and report on the situation. Reporting by the Office of the United Nations High Commissioner for Human Rights to the Security Council on Côte d'Ivoire in March 2004 and on the situation in Darfur was based on such an operation. Such human rights missions continue to be undertaken through voluntary funding and hence are rarely carried out, despite the greater need for them in providing a means of protection for civilians through their monitoring and reporting activities which help to mobilize international support.

47. The concept of protection of civilians in armed conflict was first introduced in my 1998 report (A/52/871-S/1998/318), in which I identified the protection of civilians in situations of conflict as a humanitarian imperative. This stemmed from the reality that, in recent years, civilian populations had become increasingly the main targets of armed groups rather than the indirect victims. However, much progress has been made in this regard. The Security Council has heeded my recommendation that more attention be paid to the monitoring and reporting of respect for human rights during armed conflicts. The Office for the Coordination of Humanitarian Affairs has also broken new ground in developing the policy framework for this culture of protection, in close collaboration with other United Nations departments, humanitarian partner agencies and interested Member States.

48. The Office of the Special Representative of the Secretary-General for Children and Armed Conflict has played an important advocacy role in raising the profile of children in armed conflict, which has resulted in strengthening and expanding the scope of international instruments for child protection. The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict,[7] which has been ratified by 63 States, establishes an age limit of 18 years for compulsory recruitment and participation in hostilities and a minimum age of 16 years for voluntary recruitment. The African Charter on the Rights and Welfare of the Child,[8] which has been ratified by 31 States, is the first regional instrument to establish 18 years as the minimum age for all compulsory military recruitment and participation in hostilities.

49. Despite such progress, however, children continue to be used in armed conflicts in West Africa and the Great Lakes region. Sexual and gender-based violence against women and girls continues to be used as a weapon of war in many African conflicts. Civilians continue to be targeted in conflicts through killing, maiming and displacement from their homes. In my recent report on the protection of civilians in armed conflict (S/2004/431), I examined the issues outlined in a 10-point platform and identified specific ways to assist Member States in meeting their protection obligations. **In this regard, where parties to a conflict fail to protect civilians or indeed target them, the international community should continue to**

take measures to call for accountability, including through judicial means, as in the case of the Special Court in Sierra Leone.

10. Addressing refugee security issues

50. Despite their difficulties at home, many African countries have provided asylum to refugees fleeing conflicts in neighbouring countries. The Office of the United Nations High Commissioner for Refugees (UNHCR), in collaboration with UNDP, the World Food Programme (WFP), the United Nations Children's Fund and other United Nations agencies, continues to provide assistance and protection for refugees in Africa. The United Nations system has made a particular effort to address the special needs and vulnerabilities of women and children through coordinated policies and standard operating procedures that address such issues as special health programmes for women, education for girl refugees, reintegration of child soldiers and providing women with control over food distribution.

51. The United Nations system, through UNHCR, WFP, the United Nations Environment Programme, the International Fund for Agricultural Development, the United Nations Human Settlements Programme (UN-Habitat) and the International Monetary Fund (IMF) has also undertaken various efforts to assist African countries to receive and provide support to refugees and to address the environmental impact of receiving large numbers of refugees. These efforts include providing food, shelter and assistance in reforestation, agriculture and water sanitation, as well as designing financial programmes that will cover the cost of absorbing refugees and mobilizing international financial assistance for the host countries. In close collaboration with the World Bank and through the Cities Alliance Programme, UN-Habitat is assisting African countries to design and implement resettlement programmes. WFP and UNHCR also issued new provisional guidelines for joint assessments of refugee situations in May 2004. These include a module on assessment of the actions needed to protect the environment and the natural resource base of the refugee-hosting area. Burundi, Côte d'Ivoire, Ethiopia, Guinea, Liberia, Rwanda, Uganda and the United Republic of Tanzania have all received some of this support.

52. While these efforts contributed to the alleviation of the social, economic and environmental burden of countries which are hosting large numbers of refugees, the host Governments continue to face potentially destabilizing security challenges. The difficulty in separating the civilian population from soldiers and militiamen continues to pose a challenge. Armed groups use the cover of civilian populations and refugees to regroup and launch attacks on the countries from which they have fled. Some of them have also become mercenaries in neighbouring conflicts. The Mano River Union countries and the countries of the Great Lakes region currently face such challenges, as do Chad, Ethiopia, Kenya and Uganda. While the United Nations system, through the Executive Committee on Humanitarian Affairs, is currently developing the criteria and procedures for distinguishing armed elements from the civilian population, the implementation of such criteria may pose serious challenges to unarmed civilian humanitarian workers and may require Member States to revisit the issue of security in refugee camps.

11. Coordination of humanitarian assistance

53. The coordination of humanitarian assistance in Africa has improved over the years, both among the humanitarian actors and between relief and development

assistance. The Executive Committee on Humanitarian Affairs continues to provide the overarching policy framework for the work of the Organization in the humanitarian field. The Committee's Implementation Group on the Protection of Civilians in Armed Conflict provides a platform for improved inter-agency coordination and for facilitating a system-wide approach to the issue. The Inter-Agency Standing Committee has strengthened its coordination activities in relation to African emergencies by reviewing situations of individual countries in regular working group meetings. The Executive Committee on Humanitarian Affairs has adopted a more systematic and coordinated approach to transitional issues.

54. The Office for Coordination of Humanitarian Affairs has played a key role in developing United Nations integrated missions for 10 of 24 complex emergencies. Such missions bring together the peacekeeping, political, humanitarian and development activities of the United Nations. My appointment of deputy special representatives to serve as both humanitarian and resident coordinators, as in Sierra Leone, allows for greater collaboration and consensus among the United Nations humanitarian, peacekeeping and development initiatives. In the Democratic Republic of the Congo, the Office for the Coordination of Humanitarian Affairs and other organizations of the United Nations family have developed, with the United Nations Organization Mission in the Democratic Republic of the Congo, a framework of coordination which allows better protection for civilians and a more effective provision of emergency assistance.

12. Post-conflict peace-building

55. The United Nations peace-building support offices in the Central African Republic and Guinea-Bissau continue to assist the host countries in promoting good governance, democracy and respect for the rule of law and in mobilizing international political support for reconstruction and sustainable socio-economic development. Despite various destabilizing factors, such as the military coups in the Central African Republic in March 2003 and in Guinea-Bissau in September 2003, the United Nations Peace-building Support Office in the Central African Republic (BONUCA) and the United Nations Peace-building Support Office in Guinea-Bissau (UNOGBIS) assisted in the restoration and consolidation of constitutional normality. UNOGBIS contributed to the successful holding of legislative elections in March 2004 and BONUCA facilitated the establishment of a consultative mechanism composed of representatives from the transitional Government, political leaders and civil society.

56. An inter-agency working group was established by the Executive Committee on Humanitarian Affairs and the United Nations Development Group. The report of the working group also highlighted the need for a single coherent strategy of transition, based on shared contextual analysis and needs assessment for the United Nations system. In response to the report, a standing mechanism has been established under the auspices of the Executive Committee, the Development Group and the Executive Committee on Peace and Security to provide support and guidance to the United Nations country team on planning the transition process.

57. The International Labour Organization is providing technical cooperation support for employment promotion in a number of post-conflict countries. The United Nations Conference on Trade and Development has continued its Entrepreneurship Development Programme (Empretec), supporting local

entrepreneurs with their business ventures, which in turn create new jobs. The United Nations Industrial Development Organization has initiated programmes, such as that on rural energy development for productive use in Africa's post-conflict countries. Integrated programmes on post-conflict activities are about to be finalized for the Congo, Côte d'Ivoire and Sierra Leone; the programmes focus on industrial rehabilitation, with specific attention given to the agro-industries sector. Fact-finding missions to develop post-conflict programmes are scheduled for Guinea-Bissau and Liberia in the second half of 2004 and 2005. The International Civil Aviation Organization has been involved in identifying needs and assisting the rehabilitation of the airports and civil aviation facilities destroyed by war, such as those in the Democratic Republic of the Congo and Somalia.

58. While the policy and operations of the United Nations system have improved with regard to coordination and coherence between humanitarian and development activities, it has not always been matched with corresponding changes in the way the intergovernmental system or donors deal with the financing of activities during the critical period of transition. **The divide between assessed contributions for peace operations and voluntary contributions for critical humanitarian and development activities during a period of transition continues to be an impediment to the seamless support that is needed to move a country from humanitarian assistance, peacekeeping and peace-building support to long-term development programming.**

13. Financing recovery

59. Since 1995, the IMF policy on emergency assistance has expanded to cover countries in post-conflict situations. The World Bank has also become more responsive to the economic needs of countries that have been disrupted by conflict. Strategies such as the World Bank's transitional support strategies help to support countries that are in transition from conflict by closely aligning their priorities with the objectives and sequencing of the priorities set forth in peace accords and recovery plans. **IMF and World Bank have demonstrated remarkable flexibility and foresight in the efforts undertaken for Guinea-Bissau and Burundi. Such flexibility is required from more donors to meet the complex demands of peace consolidation and recovery.**

14. Working towards a coordinated international response

60. The creation of the Economic and Social Council Ad Hoc Advisory Group on African Countries Emerging from Conflict, which has focused on both Burundi and Guinea-Bissau, has provided a unique modality for emphasizing that a coordinated international response is both desirable and possible. The Advisory Group has laid the basis for interaction between the Security Council and the Economic and Social Council on common areas of concern, bridging the gap between peace and development within their respective spheres of competence and addressing the socio-economic and the political sides of post-conflict recovery in a coherent way that is consistent with their respective responsibilities under the Charter. The Ad Hoc Advisory Group has promoted greater collaboration between the United Nations and the Bretton Woods institutions in post-conflict situations, in particular in Burundi and Guinea-Bissau. The Group has also encouraged the Government of Burundi to prepare a poverty reduction strategy paper and called on donors to make contributions to the multi-year debt trust fund established by the World Bank for

Burundi. It also encouraged the Bretton Woods institutions to continue support to the country and has closely followed developments in this regard.

15. Securing respect for human rights and the rule of law

61. The Office of the United Nations High Commissioner for Human Rights has been working closely with United Nations agencies to mainstream the rights-based approach into development in the light of the role played by these agencies in African development. Recently, it has increased cooperation with the African Union with a view to ensuring that the rights-based approach is also mainstreamed into the work of the African Union. Recently, both have agreed to work closely together to monitor compliance with human rights in conflicts in Africa, especially in Darfur and the Great Lakes region. In preparation for the Great Lakes conference, the Office organized a seminar in Yaoundé in May 2004 to take stock of the situation of human rights in the Region. At the seminar, the reasons leading to the systematic violation of human rights in the region, as well as policies and instruments to enhance the protection of human rights, were identified. I therefore urge the Governments of the Great Lakes countries to consider these important recommendations for the conference planned in 2005.

62. Progress has also been made in regard to the establishment of the African Court on Human and Peoples' Rights. The Protocol to the African Charter on Human and Peoples' Rights came into force on 25 January 2004, following its ratification by 15 member States. Currently, the African Union is leading efforts to operationalize the Court by undertaking consultations on the seat of the Court and to facilitate the election of judges.

16. Promoting transparency and accountability in public administration

63. African Governments and donors continue to enhance the capacity of public administration. Through the NEPAD initiative, donors and African countries recognize that civil servants are at the heart of the effort to improve transparency and good governance. Donors have been more willing to assist African Governments to strengthen their public services in order to improve efficiency, deliver on better programming and deliver more effective implementation. Recent initiatives by the Commonwealth and the African public services pave the way for closer collaboration and engagement in the reform and development of the public sector across the African Commonwealth countries in order to share and transfer knowledge in improving public service efficiency. The efforts of the Commonwealth to support the Ministry of Justice of Sierra Leone to appoint Commonwealth judges to the Anti-Corruption Court and begin to locate some of those accused of corruption is a significant manifestation of the political will to fight corruption in Africa.

Challenges

64. **While progress has been made in enacting programmes to enhance transparency and accountability in public administration, political will on the part of Governments, responsibility on the part of donors and civic consciousness on the part of African population need to be further enhanced to eradicate corruption.**

17. Managing natural resources

65. The management of natural resources deserves further attention on the continent and by the international community. **The United Nations family of organizations has been paying particular attention to this issue by supporting local efforts with the expertise and resources needed to develop good management schemes for natural resources. For example, the Department of Economic and Social Affairs has continued to provide technical support to the Niger Basin Authority and the Lake Chad Basin Commission to strengthen their management of water and energy resources.**

66. As most of the intractable conflicts on the continent come to an end, the durability of peace will depend greatly on the capacity of each new Government to take control of the natural resources and manage the wealth of the State in a transparent and accountable manner that will benefit its people. The illicit exploitation of columbo-tantalite, alluvial gold and silver, diamonds, semi-precious stones, timber and cash crops such as coffee and cocoa have provided rebel movements with revenue to rearm and prolong the fighting or the State parties to conflict to train and equip the rebels to fight surrogate wars and to deprive millions of people of the benefits to be derived from the exploitation of these resources.

67. The international community has supported the creation of an environment that will allow greater control over the illicit exploitation of natural resources. The emerging coordination between the private sector and Member States in developing a regime to help to reduce the flow of resources to warring parties is welcomed. In this regard, the Kimberley Process has developed a means of preventing conflict diamonds from entering the marketplace. The Process is an important instrument for maintaining peace by helping to deny resources to rebel movements and by strengthening legitimate Governments.

18. Emphasizing social development

Eliminating all forms of discrimination against women

68. The United Nations, in particular through the United Nations Development Fund for Women (UNIFEM) and the United Nations Population Fund (UNFPA), has adopted a proactive approach in assisting African States to close gender gaps in governance and education, to meet the nutritional requirements of expectant and nursing mothers and adolescent girls, to empower women (e.g., through asset-creation interventions, changes in food distribution mechanisms and increased participation of women in food distribution committees) and to make progress towards the achievement of gender equality in the workplace. The implementation of this gender policy is based on four pillars: guidelines, training, baselines and good practice case studies. Gender focal points from more than 30 countries were trained to implement the survey. However, as at June 2004, only 17 African States had ratified the Optional Protocol adopted by the General Assembly in 1999 to accelerate the elimination of all forms of discrimination against women. At the African Union summit meeting held in Addis Ababa in 2004, African heads of State and Government pledged to sign and ratify the Protocol to the African Charter on Human and Peoples' Rights on the rights of women in Africa by the end of 2004 and to support the launching of public campaigns aimed at its entry into force in 2005. Meanwhile, it is a welcome development that 50 per cent of the commissioners of

the African Union are women and the First Speaker of the new African Parliament is a woman. In southern Africa, UNIFEM supported the SADC Parliamentary Forum to build the skills of the women's caucus in leadership, gender and human rights, and lobbying and advocacy in order to move closer to attaining the goal of a 30 per cent representation of women by 2005, as envisaged in the SADC Gender and Development Declaration of 8 September 1997.

69. The humanitarian community has also developed strategies aimed at preventing and responding to sexual and gender-based violence in conflict situations. Gender sensitivity is part of security, health, humanitarian and development programming in every post-conflict context in Africa. Practical policies and guidelines have been adopted and improvements made in the structure of peacekeeping and assessment missions to include gender advisers and child protection advisers. UNFPA has also taken steps to provide protection to victims of sexual and gender-based violence. Through an internal bulletin issued in 2003, I have instructed that the sexual exploitation and abuse of women and children in armed conflict by United Nations personnel must be addressed and that a minimum standard of behaviour should be followed and measures taken to prevent sexual exploitation and abuse.

IV. Conclusions and recommendations

70. Since the issuance of my previous report in 2003, further progress has been made in the implementation of the recommendations contained in my 1998 report. In this regard, while steady progress is noted in areas such as peacemaking and peacekeeping, in other areas — such as the strengthening of democratic governance, enhancing administrative capacity and ensuring the independence of judiciary and promoting transparency and accountability — progress has been modest and slow. Slow progress is also shown in poverty reduction, despite the great efforts made by African countries to implement NEPAD and create an enabling environment for economic growth and sustainable development. Greater efforts are also being made to implement the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and to prevent the harbouring of opponents with military capabilities in neighbouring countries and uncontrolled military groups.

71. There are also a number of trends which could potentially affect the peace and stability of the continent. One such trend is the worsening conditions for young people, especially in the light of high unemployment rates, which could also be a potential source of threats to peace and stability. The crisis of youth unemployment is more pronounced in countries emerging from conflict, where disarmament, demobilization and reintegration activities have been inadequate in addressing the problems of young people. **There is a need to address the challenges faced by young people in order to prevent new conflicts or a relapse into conflict in countries in which wars have ended.**

72. Another trend is the spread of the HIV/AIDS pandemic which has a potential to destabilize African States in view of the significant number of civil servants, professionals and the productive force that are affected by it, and the governance vacuum and weak economies created by the impact of the disease. While proving to be a devastating obstacle to development, the pandemic is also taking a heavy toll on Africa's women who are the main caregivers for family members living with

HIV/AIDS and who must be involved in all efforts to halt its spread. The growing loss of personnel in the military forces and police through HIV/AIDS undermines the ability of African countries to protect their citizens and borders and to fight against civil and international terrorism. **Increased efforts need to be directed towards fighting HIV/AIDS in Africa.**

73. The illicit exploitation of and trade in natural resources have also been a major source of continued instability on the African continent. **Some progress has been made through the Kimberley Process to regulate the trade in diamonds, but Member States need to seek ways of tightening the rules and controls in order to ensure compliance in this regard.**

74. Demographic pressures are increasing in many poor and ecologically fragile zones in both urban and rural areas in Africa as a result of high fertility rates and a shortage of arable land. Demographic pressures threaten to undermine all of the positive efforts of the United Nations and African Governments in areas such as peace-building and the promotion of good governance and democratization. **Member States need to pay attention to the demographic pressures and issues of migration that are becoming an increasing source of tension in West, Central and East Africa.**

75. **There is a need for the international community to engage more seriously in the fight against poverty. It has therefore become urgent to accelerate the implementation of NEPAD, in both the creation of conditions for sustainable development through the consolidation of peace and security, democratization and governance and the implementation of projects in other NEPAD priority areas.**

76. **Finally, I urge Member States to support efforts to strengthen cooperation among the United Nations system, the African Union and other African regional organizations in the maintenance of international peace and security. The nature, scope and orientation of the activities of the African Union are vastly different from those of its predecessor, the Organization of African Unity. In order to boost the efforts of the Union in undertaking peace operations, creative ideas, new forms of collaboration and enhanced coordination are required from the United Nations system. Consequently, I will instruct relevant agencies, departments and offices to look into new ways of collaboration between the United Nations and the African Union in the light of this new reality.**

Notes

[1] See A/54/424, annex II, decision AHG/Decl. 1 (XXXV).

[2] Graduate Institute of International Studies, *Small Arms Survey 2003: Development Denied* (Oxford University Press, June 2003).

[3] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9-20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[4] A/CONF.192/PC/23, annex.

[5] Burundi, the Democratic Republic of the Congo, Djibouti, Ethiopia, Eritrea, Kenya, Rwanda, the Sudan, Uganda and the United Republic of Tanzania.

[6] International Campaign to Ban Landmines, *Landmine Monitor Report 2003: Toward a Mine-free World* (see http://www.icbl.org, 2003).

[7] General Assembly resolution 54/263, annex II.

[8] Human Rights: A Compilation of International Instruments, vol. II: Regional Instruments (United Nations publication, Sales No. E.97.XIV.1), sect. C, No. 39.